

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

DAVID B. BINDER, *et al.*,

Plaintiffs,

v.

PPL CORPORATION, *et al.*,

Defendants.

Civil Action No.: 5:22-cv-00133-MRP

CLASS ACTION

**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendants PPL Corporation, PPL Services Corporation, Board of Directors of PPL Corporation, Board of Directors of PPL Services Corporation, Employee Benefit Plan Board of PPL Corporation, and LG&E and KU Energy LLC (collectively, “Defendants”) respectfully write to notify the Court of the recent decision in *Johnson v. Parker-Hannifin Corporation*, No. 1:21-cv-00256, 2023 WL 8374525 (N.D. Ohio Dec. 4, 2023), attached as Exhibit A. As in this case, the plaintiffs in *Johnson* alleged that the defendants breached their fiduciary duties under ERISA by offering the Northern Trust Focus Funds as plan investment options and by causing the plan to invest in the “K” share class of the Focus Funds, rather than other, lower-cost share classes. The court dismissed all of the plaintiffs’ claims, concluding that the allegations in the complaint did not raise a plausible inference of imprudence. The *Johnson* decision further supports Defendants’ pending motion to dismiss Plaintiffs’ complaint (ECF No. 24).

Dated: December 8, 2023

Respectfully submitted,

/s/ Deanna Rice

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**CERTIFICATE OF SERVICE**

I certify that on this day I caused a true and correct copy of the foregoing *Notice of Supplemental Authority* and Exhibit A thereto to be filed using the Court's Electronic Filing System ("ECF System"). The documents are available for viewing and downloading via the ECF System and will be served by operation of the ECF System upon all counsel of record.

Dated: December 8, 2023

/s/ Deanna Rice